

DECLARATION OF CAROL A. SOBEL

I, CAROL A. SOBEL, declare:

1. I am an attorney admitted to practice in the State of California. I make this declaration in support of Plaintiffs' request for an award of attorneys' fees. The declaration is based on facts of which I have personal knowledge. If I were called to testify as a witness to these facts, I could and would do so competently.

2. I was admitted to the California Bar in December 1978, following my graduation from law school in May of 1978. For 20 years, I was employed by the ACLU Foundation of Southern California, including approximately 12 years as its First Amendment attorney. For the last seven years prior to my departure from the ACLU, I served as a Senior Staff Counsel. I left the ACLU to begin a private civil rights practice in late April, 1997. Attached at Exhibit "1" is my current resumé.

3. My billing rate for 2018 is \$990 an hour. I settled fees in several cases last year, applying my 2017 rate of \$975 an hour to calculate the lodestar, including the fees in *Schuler v. County of Orange*, 8:17-cv-00259 DOC KES (C.D. Cal. 2017). I did not file a motion for fees in 2016. In 2014 and 2015, several courts approved my rate of \$875 an hour. In *Desertrain v. City of Los Angeles*, 754 F.3d 1147 (9th Cir. 2014), the Circuit granted the motion for fees, approved entitlement, and referred the matter to the Appellate Commissioner to determine the final award. The parties then settled the trial and appellate fees together with approximately a five percent reduction of the appellate lodestar. The Circuit panel approved the full award at \$875 an hour. See *CPR for Skid Row v. City of Los Angeles*, 779 F.3d 1098 (9th Cir. 2015).

4. In 2012, I was paid my then full rate of \$795 an hour by an insurance carrier in a non-contingency case before the Hon. Dean Pregerson of the Central District of California. *Federal Deposit Insurance Company v. Larry B Faigin*, 2:12-cv-03448-DDP-CW (C.D. Cal. 2012). In 2010, I was awarded fees at \$725 an hour in *Long Beach Area Peace Network v. City of Long Beach*, 574 F.3d 1011 (9th Cir. 2009), a First Amendment case. In 2009, I was awarded fees by the Central District

1 of California at \$710 an hour in *Fitzgerald v. City of Los Angeles*, 2009 U.S. Dist.
 2 LEXIS 34803 (C.D. Cal. 2009), and in *Multi-Immigrant Worker Organizing Network*
 3 (“MIWON”) v. *City of Los Angeles*, cv 07-7032 AHM (C.D. Cal. 2009), both police
 4 misconduct cases. In 2008, I was awarded fees at \$695 an hour in *Jones v. City of Los*
 5 *Angeles*, cv-03-1142 R. See 444 F.3d 1118 (2006), vacated per settlement 505 F.3d
 6 1006 (9th Cir. 2007). The fee award was affirmed on appeal. 2014 U.S. App. LEXIS
 7 1952 (9th Cir. Jan. 31, 2014).

8 5. My practice involves complex civil rights litigation, focusing now
 9 primarily in the areas of the rights of homeless persons, First Amendment rights and
 10 police practices. I have received awards for my legal work. In 2008, I was named a
 11 California Lawyer of the Year (CLAY) for civil rights by California Lawyer Magazine
 12 and was also named in the Top 75 Women Litigators in California by the Daily Journal
 13 Corporation. In 2007, I received an Angel Award from California Lawyer Magazine
 14 for pro bono work. I also was named in 2007 by the Daily Journal as one of the Top
 15 100 Most Influential Lawyers in California. In 2013 and again in 2017, I was named
 16 one of the top women lawyers in Los Angeles. I have been named as a Superlawyer
 17 in the area of First Amendment and civil rights litigation for more than a decade.

18 6. I have been qualified twice as an expert to testify at trial on issues
 19 concerning non-profit legal practice: once before the State Bar and once in Los Angeles
 20 Superior Court. Recently, California’s Second Appellate District noted my
 21 qualification as an expert to opine on reasonable market rates for attorney fees. See
 22 *Jochimsen v. County of Los Angeles*, B223518 (2d Dist. June 23, 2011) (unpublished)
 23 (approving expert basis for opinion). My declarations and the supporting evidence of
 24 reasonable market rates have been repeatedly cited favorably by federal and state courts
 25 in awarding fees. For example, in *Nadarajah v. Holder*, 569 F.3d 906, 912-914 (9th
 26 Cir. 2009), the Ninth Circuit referenced my declaration with approval in support of the
 27 ACLU’s motion for fees under the Equal Access to Justice Act (“EAJA”). In
 28 *Torrance Unified School District v. Magee*, 2008 U.S. Dist. LEXIS 95074 (CD CA

1 2008), granting fees pursuant to the federal IDEA statute, 20 U.S.C. §1415(i)(3)(c),
 2 the Court cited to my declaration as persuasive evidence of market rates. In *Atkins v.*
 3 *Miller*, CV 01-01574 DDP (CD CA 2007), the Central District of California awarded
 4 fees to a 1975 graduate at \$675 an hour, specifically citing to my declaration and that
 5 of Barry Litt to support the requested rates. Id. at pp. 8-9 and n.4. Additional cases
 6 in which my declarations have been cited favorably include, among others, *Charlebois*
 7 *v. Angels Baseball LP*, SACV 10-0853 DOC (May 30, 2012); *Orantes-Hernandez v.*
 8 *Holder*, 713 F.Supp.2d 29, 963-964(C.D.Cal.2010); *Hiken v. DOD*, 2013 U.S. Dist.
 9 LEXIS 118165 (N.D. Cal. Jan. 14, 2013); *Vasquez v. Rackauckas*, 2011 U.S.
 10 Dist. LEXIS 83696 (C.D. Ca. 2011); *Rauda v. City of Los Angeles*, 2010 U.S.
 11 Dist. LEXIS 138837 (C.D. Cal. 2010); *Dugan v. County of Los Angeles*, cv-11-
 12 08145 CAS (C.D. Cal. March 3, 2014); and *Flores v. City of Westminster*, SA-
 13 CV-11-0278 DOC (C.D. Cal. Oct. 23, 2014). The most recent decision approving
 14 rates based, in part, on my declaration is *Webb v. Officer J. Ackerman*, 13-cv-
 15 01992 PLA (C.D. Cal. January 4, 2018), Doc. 180, p.5.

16 7. In addition, I have litigated statutory fee issues at the appellate level
 17 in several cases. I was lead counsel before the California Supreme Court in
 18 *Tipton-Whittingham v. City of Los Angeles*, 34 Cal.4th 604 (2004), the companion
 19 case to *Graham v. Daimler-Chrysler*, 34 Cal.4th 533 (2004), affirming the
 20 continued vitality of the “catalyst” fee doctrine in California law. I was also lead
 21 counsel in *Jones v. City of Los Angeles*, 555 Fed.Appx. 659 (2014), approving
 22 entitlement to fees as a “prevailing party” based on the Ninth Circuit’s necessary
 23 approval of a settlement that was conditioned on vacatur of the panel decision.

24 8. I have been asked to submit this declaration to attest to the
 25 reasonableness of the fee rates requested by the counsel in this case. I am not
 26 being compensated for my time in this matter.

27 9. In addition to my personal knowledge of most of the attorneys for
 28 whom fees are sought by this motion, I have considerable experience to support

1 my assessment of the rates for comparably skilled attorneys. In my 40 years of
2 involvement in the civil rights community in Los Angeles, I have co-counseled
3 with, supervised, or taught thousands of lawyers and law students, many of whom
4 now practice civil rights law in Los Angeles. For many years, I supervised the
5 summer law clerk program at the ACLU. I co-teach the civil rights litigation
6 practicum at Loyola Law School for approximately 10 years. In addition, I
7 coordinated several large pro bono legal projects in Southern California with well
8 more than one thousand lawyers and law students. These include representation
9 in Bureau of Prisons administrative hearings for nearly 900 Mariel Cubans moved
10 to federal detention facilities in California in the late 1980s after an uprising at the
11 Atlanta Penitentiary destroyed the facility.

12 10. I also coordinated pro bono lawyers to represent approximately 5,000
13 high-school students prosecuted in juvenile court for truancy and other offenses
14 after simultaneous school walk-outs to protest a then-pending restrictive
15 immigration bill in Congress. Currently, my office coordinates two pro bono
16 clinics for homeless individuals cited for “quality of life” offenses in Los Angeles.
17 Finally, over the past decade I coordinated pro bono criminal defense for
18 protestors in mass arrests in Los Angeles, including during the Occupy movement.
19 This gives me a broad base of experience from which to assess the relative skills
20 and experience of practitioners in civil rights litigation in the Central District.

21 11. To prepare my declaration, I communicated with several of the
22 attorneys involved in this litigation, including Linton Joaquin and Nicholas
23 Espiritu at NILC and Julia Gomez at MALDEF. I am familiar with the
24 qualifications, skills, experience and reputation of several of the attorneys for
25 whom fees are sought in this motion. David Cole, now the national litigation
26 director of the ACLU, and I have co-counseled multiple cases over the past 30
27 years. Linton Joaquin, Shui-Ming Cheer, Nicholas Espiritu, Karen Tumlin and
28 Nora Preciado at NILC are all attorneys with whom I have engaged professionally

1 in Los Angeles. Several of the NILC attorneys were previously at other non-
 2 profits in Los Angeles, including MALDEF and the ACLU of Southern
 3 California, where I first met them. Ms. Tumlin and I met approximately 13 years
 4 ago, when she first came to NILC. Based on my involvement with the civil rights
 5 legal community in Los Angeles, I am of the opinion that each enjoys a reputation
 6 as a skilled and experienced attorney.

7 12. I am informed that the following rates are being sought in this case:

8 **ACLU OF ARIZONA**

9	Personnel	Role	Graduation	Rate
10	Kathleen Brody	Attorney	2007	\$350
11	Kelly Flood	Attorney	1999	\$400
12	James Lyall	Attorney	2007	\$350
13	Gloria Torres	Paralegal	n/a	\$185

14 **ACLU (IRP)**

15	Jennifer Chang Newell	Attorney	2003	\$630
16	Christine Sun	Attorney	1998	\$705
17	Katrina Eiland	Attorney	2010	\$445
18	Cecillia Wan	Attorney	1995	\$775
19	Michael Tan	Attorney	2008	\$480
20	Araceli Martinez-Olguin	Attorney	2004	\$600
21	David Cole	Attorney	1984	\$850
22	Orion Danjuma	Attorney	2010	\$445

23 **MALDEF**

24	Victor Viramontes	Attorney	1999	\$700
25	Jorge Castillo	Attorney	2010	\$445
26	Julia Gomez	Attorney	2013	\$360
27	Andres Holguin-Flores	Attorney	2015	\$330
28	Adriana Garcia	Legal Fellow	2013	\$185

1 **NILC**

2	Tanya Broder	Attorney	1988	\$800
3	Shiu-Ming Cheer	Attorney	2000	\$675
4	Nicholas Espiritu	Attorney	2004	\$600
5	Linton Joaquin	Attorney	1976	\$850
6	Nora Preciado	Attorney	2005	\$570
7	Karen Tumlin	Attorney	2004	\$600
8	Bianca Alcala-Ruiz	paralegal	n/a	\$195
9	Sheila Miller	sr. paralegal	n/a	\$215
	Ignacia Rodriguez	Legal Fellow	2013	\$185

10 13. It is my opinion that the rates sought are reasonable. With few
 11 exceptions, most of the rates sought are in the mid to low end of rates for
 12 comparable attorneys in the Los Angeles legal market. I understand that the
 13 attorneys at the ACLU IRP, MALDEF and NILC are seeking market rates in the
 14 Central District of California based on their specialized knowledge and skill
 15 otherwise unavailable in the local Arizona legal market. Although the ACLU IRP
 16 personnel are located in San Francisco and Mr. Cole is in New York, I have used
 17 Los Angeles market rates for everyone other than the attorneys at the ACLU of
 18 Arizona. In my experience reviewing fee awards and supporting declarations,
 19 there is little, if any, difference between the rates in these metropolitan areas.

20 14. I have extensive experience with the methodology applied to set
 21 appropriate market rates for public interest and civil rights attorneys who do not
 22 have paying clients. During the time that I was at the ACLU of Southern
 23 California, I prepared numerous fee motions under federal and state fee-shifting
 24 statutes for cases in which the ACLU represented the prevailing party. I was
 25 responsible for preparing these motions in cases in which I was directly involved
 26 in the underlying litigation, as well as in cases brought by other staff attorneys and
 27 volunteer counsel for the ACLU.

1 15. In this role, I obtained information on market rates through a variety
2 of sources that I continue to use to evaluate reasonable rates each year. I review
3 current billing rates and fees sought by, and awarded to, attorneys at large,
4 commercial law firms to establish rates for individuals of comparable experience
5 at public interest and civil rights firms. The attorneys at large commercial firms
6 handle similarly complex federal litigation and, in many instances, they are also
7 familiar with the experience levels of various non-profit attorneys because they
8 co-counsel cases with the public interest bar.

9 16. I often use rates at large firms to establish comparative market rates
10 for civil rights lawyers based on my understanding that billing rates by lawyers at
11 civil rights firms and public interest organizations at rates even marginally
12 comparable to those of attorneys who do other types of complex litigation is
13 consistent with the instruction of the U.S. Supreme Court in *Blum v. Stenson*, 465
14 U.S. 886, 895 (1984) ("The statute and legislative history establish that
15 'reasonable fees' under [42 U.S.C.] § 1988 are to be calculated according to the
16 prevailing market rates in the relevant community, regardless of whether plaintiff
17 is represented by private or nonprofit counsel"). See also, *Nadarajah v Holder*,
18 569 F3d at 910.

19 17. To analyze reasonable market rates, I apply several additional
20 principles. First, when available, I look to rates awarded to the same attorneys in
21 previous cases because I understand that such awards are strong evidence of
22 reasonable market rates. See *Chaudhry v. City of Los Angeles*, 751 F3d 1096,
23 1111 (9th Cir. 2014); *U.S. v. \$28,000 in U.S. Currency*, 802 F.3d 1100, 1106 (9th
24 Cir. 2015); *Camacho v. Bridgeport Fin., Inc.*, 523 F.3d 973, 976 (9th Cir. 2008).

25 18. Next, I look to evidence of billing rates by attorneys engaged in
26 similarly complex business litigation as an approved method of establishing
27 reasonable market rates for civil rights attorneys who do not regularly bill clients
28 on an hourly basis. This approach, approved in *Blum, supra*, recognizes that most

1 civil rights attorneys take cases on contingency and are not paid hourly for their
2 services. Third, I apply the rule that the relative “simplicity” or “complexity” of
3 a case is reflected in the efficiency of hours, not the lodestar rate of the attorney.
4 *See Van Skike v Director, Office of Workers’ Compensation Programs*, 557 F3d
5 1041, 1046 (9th Cir. 2009).

6 19. I estimate that I review more than 100 fee motions, fee awards, and
7 supporting declarations in the course of a year. My practice is to obtain this
8 information from court orders in the past year awarding statutory fees or awarding
9 fees as a discovery sanction. In addition, I subscribe to several websites that
10 report legal news. If I read about a case where there is likely to have been a fee
11 motion, I review the relevant court docket and obtain a copy of any fee motion,
12 supporting declarations and fee award from public sources, including documents
13 on PACER and state court websites.

14 20. My opinion concerning the reasonableness of the rates sought in this
15 instance is based on the fee awards described below and attached to my
16 declaration, as well as the other documents submitted with my declaration. I have
17 also provided the current schedule for the Adjusted Laffey Matrix. Although
18 courts in the Ninth Circuit generally do not favor use of the Laffey Matrix because
19 it does not assess individual years of experience and assigns all attorneys
20 practicing 20 years or more the same rate, it can be a useful tool to measure the
21 reasonableness of the rates requested where, as here, those rates generally fall
22 below the Adjusted Laffey Matrix categories.

23 21. Attached at Exhibit 2 is a 2017 award of fees in the Central District
24 of California in *Flores v. Sessions*, CV 85-4544-DMG (AGRx) (CD Cal. 2017)
25 [Doc 383]. In *Flores*, Judge Gee approved enhanced EAJA rates for three
26 attorneys: Peter Schey, Carlos Holguin and Alice Bussiere, 1973, 1979 and 1984
27 law graduates, respectively. I am very familiar with MSSRs. Schey and Holguin.
28 I have known Peter Schey professionally since approximately 1978, when I

1 graduated law school. Mr. Holguin and I went to law school together, although
 2 he was a semester behind me. I know Alice Bussiere by reputation. *See ¶4.* Ms.
 3 Bussiere's rate of \$800 an hour is below the 2015 rate approved in *Franco* for
 4 Judy Rabinovitz, a 1985 law graduate at the ACLU IRP. Ex. 5, ¶7. I would
 5 anticipate that Ms. Rabinovitz's current rate would be approximately \$900 an
 6 hour, applying a modest 3 percent annual increase, which is about the rate of
 7 inflation for the legal component in the cost-of-living calculation.

8 22. Attached at Exhibit 3 is the Court's order in *Puente Arizona v.*
 9 *Penzone*, Case No. 2:14-cv-01356 DGC (D. AZ Oct. 25, 2017), awarding fees to
 10 attorneys at the ACLU of Arizona and California Central District at Hadsell,
 11 Stormer & Renick, the National Day Labor Organizing Committee (NDLON) and
 12 the University of California, Irvine Immigrant Rights Clinic. I provided a
 13 supporting declaration in the case on behalf of the California attorneys.

14 23. Attached at Exhibit 4 is a true and correct copy of the Order
 15 approving EAJA fees for the ACLU of Southern California and other attorneys
 16 in *Franco-Gonzalez v. Holder*, 10-cv-02211 DMG (C.D. Cal. Oct. 8, 2015), Doc.
 17 866. I provided a declaration in support of the ACLU's fee motion in the case.
 18 The rates for each attorney are set out in my declaration, a true and correct copy
 19 of which is attached at Exhibit 5. The fees were settled with a discount of slightly
 20 more than 10 percent of the hours on a total demand of approximately \$11 million.
 21 Nonetheless, because the case was a class action, the Court was required to
 22 consider the reasonableness of the lodestar and the fees awarded.

23 24. In *Franco-Gonzalez*, the 2015 rate of \$760 an hour was used for Judy
 24 London at Public Counsel. Ex. 5, p. 3. I know Ms. London personally and am
 25 aware that she is a 1990 law graduate. In 2015, she had 25 years of experience,
 26 just two years more than Cecillia Wang has now. Ms. Wang seeks a rate of \$775
 27 an hour. Both are highly skilled lawyers engaged in complex federal litigation.

28 25. Matt Adams was one of the attorneys awarded fees in *Franco-*

1 *Gonzalez*. His 2015 rate was \$710 an hour. Ex. 5, p.4. Based on the information
 2 I obtained from the attorneys in *Franco-Gonzalez*, it is my understanding that Mr.
 3 Adams is a 1998 law graduate. His 2015 rate of \$710 an hour is slightly higher
 4 than the rate of \$705 an hour sought three years later for Christine Tan of ACLU
 5 (IRP), also a 1998 law graduate.

6 26. In *Franco*, the 2015 rate for Ahilan Arulanantham of the ACLU of
 7 Southern California was \$690 an hour. Based on my personal knowledge of both
 8 attorneys, I am aware that Victor Viramontes and Ahilan Arulanantham are law
 9 school classmates and both are 1999 graduates. Mr. Viramontes requested rate of
 10 \$700 an hour is only \$10 an hour above the 2015 rate applied by Mr.
 11 Arulanantham.

12 27. Attached at Exhibit 8 is a true and correct copy of the order in *Flores*
 13 *v. City of Westminster*, 8:11-cv-00278-DOC-RNB (C.D. Cal. Oct. 23, 2015)
 14 [Doc. 284]. In *Flores* Victor Viramontes was awarded fees at the 2014 rate of
 15 \$625 an hour. The \$75 an hour difference between his 2014 approved rate and
 16 the 2018 rate he requests is an increase of approximately 2.5 percent a year.

17 28. In addition, in *Franco-Gonzalez*, Victoria Lopez, an attorney with the
 18 ACLU of Arizona, applied the 2015 rate of \$640 an hour. Ex. 5, p.4. Ms. Lopez
 19 is a 2001 law graduate. In 2015, she had 14 years experience. In the motion now
 20 before the Court, Plaintiffs request a rate of \$630 an hour for Jennifer Chang
 21 Newell, a 2003 law graduate now with 15 years of experience, and \$600 an hour
 22 for Karen Tumlin, Nicholas Espiritu and Araceli Martinez-Olguin, all 2004 law
 23 graduates with 14 years of experience.

24 29. Plaintiffs also request \$570 an hour for Nora Preciado, a 2005 law
 25 graduate with 13 years of experience. With just one year less experience, Ms.
 26 Preciado's requested rate is \$70 an hour below the 2015 rate of \$640 an hour for
 27 Ms. Lopez in *Franco* and only \$35 above the 2015 rate of \$535 in *Franco* for a
 28 2006 and 2007 law graduate. Ex. 5, p.4. In *Franco*, the private firm applied its

1 customary billing rate of \$865 an hour for 2007 law graduates, approximately 60
2 percent above the rates for the public interest attorneys. Ex. 5, p.4.

3 30. The rates of \$480 and \$445 an hour now sought for Michael Tan, a
4 2008 law graduate, and for Katrina Eiland, Orion Danjuma, and Jorge Castillo,
5 all 2010 law graduates, are very low as compared to the rate of \$535 an hour for
6 Talia Inlender and Sean Riordan, attorneys with eight years experience three years
7 ago in *Franco*. Ex. 5, p. 4. These rates are also well below the rate of \$500 the
8 Court approved last year in *Puente Arizona* for attorneys in the Central District
9 of California with eight years of experience. Ex. 3. In *Puente*, the Court also
10 approved the rate of \$565 an hour for attorney Annie Lai, a 2009 law graduate
11 who was lead counsel in the case. Ex. 3, p.4.

12 31. I filed a supporting declaration in *Puente Arizona* on the range of
13 reasonable rates in the Central District of California. Doc. 708-11. I understand
14 that the Court capped out-of-area market rates at \$750, stating that the higher rate
15 requested by Dan Stormer in *Puente* represented a premium rate in a large market
16 for counsel who did not have a major role in the case. In this motion, only four
17 attorneys seek a rate above the Court's \$750 an hour cap for out-of-area counsel
18 in *Puente*. Based on my review of the fee declaration of Julia Gomez and my
19 review of other materials provided to me with a summary of each counsels' hours,
20 in this instance attorneys Linton Joaquin and Tanya Broder, both of NILC, were
21 among the attorneys with the most hours in this case. Mr. Joaquin has only one
22 year less experience than Mr. Stormer had in 2017, but he seeks a 2018 rate nearly
23 30 percent below the rate sought by Mr. Stormer last year and only \$100 above the
24 cap the Court set last year. In my view, Linton Joaquin's rate is low. Is is less
25 than I was awarded three years ago, with five years less experience than he has
26 now. I know Linton Joaquin well and am of the opinion that he enjoys a
27 reputation as one of the most highly skilled civil rights lawyers in Los Angeles,
28 if not the country. As another point of comparison, his requested rate is \$25 an

1 hour below the 2015 rate in *Franco* for James Preis, another well-known civil
 2 rights lawyer in Los Angeles. Ex. 5, p.3. Mr. Preis is a 1978 law graduate. *Id.*

3 32. Tanya Broder, also of NILC, seeks a rate just \$50 above the cap the
 4 Court set in *Puente* for out-of-area attorneys. I know Ms. Broder by reputation.
 5 Her requested rate of \$800 an hour is well in line with awards to comparably
 6 skilled attorneys practicing the same length of time in the Los Angeles legal
 7 market. Ms. Broder is a 1988 law graduate. She has the same amount of
 8 experience now as Judy Rabinovitz had in 2015, when she applied the rate of
 9 \$825 an hour. Ex. 5, p.3. She has three more years of experience than Bernard
 10 Alexander, a 1987 law graduate, had in 2014, when he was awarded fees at \$750
 11 an hour. Ex. 9, pp. 12-13. Ms. Broder's requested rate is below the \$850 an hour
 12 rate approved for Lisa Jaskol, also a 1988 law graduate, and Anne Richardson, a
 13 1989 law graduate, in the *Nozzi* case. Ex. 6, p. 20.

14 33. The other two lawyers whose requested rates are above \$750 an hour
 15 are Cecillia Wang and David Cole, both with the national ACLU. As I stated
 16 previously, I know Mr. Cole well and have co-counseled cases with him for three
 17 decades. Among my colleagues in the civil rights community, he is widely
 18 regarded as an exceptionally skilled attorney. He brings invaluable insight to
 19 litigation strategy. Mr. Cole, a 1984 law graduate with 34 years of experience,
 20 seeks a rate of \$850 an hour. This is only \$25 above the 2015 rate for Judy
 21 Rabinovitz, a 1985 law graduate in *Franco*. Ex. 5, p.3. It is the same as the rate
 22 for the 1988 and 1989 law graduates in *Nozzi*. See ¶29.

23 34. Cecillia Wang is also an exceptionally skilled attorney engaged in
 24 complex immigration litigation. Although I have not worked with her directly, I
 25 have had occasion to discuss her qualifications and skill with colleagues at the
 26 ACLU of Southern California in the course of preparing supporting fee
 27 declarations for them in several recent cases. Ms. Wang requests a rate of \$775
 28 an hour, only \$25 above the rate the Court set as the cap last year. This rate is

1 supported by the \$750 an hour rate for Hernan Vera in 2017 in *Nozzi*. Ex. 6, p.
 2 20. He had the same amount of experience in 2017 as Ms. Wang has now.

3 35. Attached at Exhibit 6 is the fee award in *Nozzi v. Housing Authority*
 4 *of the City of Los Angeles*, Case No. 07-cv-00380-PA-FFM (C.D. Cal. Feb. 2,
 5 2018), Doc. 331. Because the Court does not discuss the individual rates sought
 6 in approving the request in full on a lodestar cross-check, attached at Exhibit 7 is
 7 the underlying fees motion of counsel filed in 2017, setting out the individual rates
 8 and experience of each attorney. I know each of the attorneys for whom fees were
 9 sought in *Nozzi*. MSSRs. Litt, Estaur and Ms. Brown and I have co-counseled
 10 several class-action cases in the past. Mr. Litt and I are currently co-counsel on
 11 a class-action civil rights case pending in the Central District of California.

12 36. In *Nozzi*, the Court found that the lodestar crosscheck supported the
 13 requested fee award. This included the reasonableness of Mr. Litt's requested rate
 14 of \$1150. Mr. Litt had six more years of experience than Linton Joaquin has now
 15 as he seeks a rate \$300 below the rate approved for Mr. Litt in *Nozzi*.

16 37. In *Nozzi*, the 2017 rate approved for 2006 Stacy Brown, a 2006 law
 17 graduate, was \$600 an hour. Ex. 6, p.19. That is the same as the 2018 rate
 18 sought for in this motion for Araceli Martinez-Olguin, Karen Tumlin and Nicholas
 19 Espiritu, 2004 law graduates with three additional years of experience, and above
 20 the rate of \$570 an hour requested by Nora Preciado, a 2005 law graduate with
 21 two additional years of experience. The rate for Stephanie Carroll, a 2004 law
 22 graduate, in *Nozzi* is \$640 an hour. Ex. 6, p.20.

23 38. In *Puente*, Caitlin McLoon, a 2012 law graduate, applied a rate of
 24 \$425 an hour. In the instance motion, attorneys Katrina Eiland (ACLU IRP),
 25 Orion Danjuma (ACLU IRP) and Jorge Castillo (MALDEF), all 2010 law
 26 graduates, have eight years of experience, three years more than Caitlin McLoon
 27 had in 2017. They request a rate of \$445 an hour, which represents a 1.5 percent
 28 annual increase over the Ms. McLoon's rate. In the same vein, the rate sought for

1 Julia Gomez of MALDEF is very low when compared to the rate approved by the
 2 Court in *Puente* for Ms. McLoon. With the same amount of experience in 2018
 3 as Ms. McLoon had in 2017, Ms. Gomez seeks a rate of \$360 an hour, slightly
 4 less than 20 percent below the rate approved for Ms. McLoon.

5 39. Plaintiffs also seek \$185 an hour for two law graduates who worked
 6 on the case during the time that they were fellows at NILC and MALDEF. In
 7 Exhibit 8, Judge Carter approved fees for one of the fellows, Adriana Garcia at
 8 \$250 an hour. Ex. 8, pp. 12-13.

9 40. The rate sought for paralegals ranges from \$185 to \$215 an hour.
 10 This is a reasonable rate for a paralegal in the Central District of California. In
 11 *Flores*, the Court approved the 2014 rate of \$175 an hour for Gustav Ham. Ex.
 12 8, p. 20. In *Puente*, Plaintiffs sought \$175 to \$200 an hour for paralegals at
 13 Hadsell, Stormer and UCI Law, which the Court accepted. Ex. 3.

14 41. The chart below summarizes the rates set forth in the exhibits
 15 discussed above. It identifies the attorney, the year of the award, the amount of
 16 experience the attorney had at the time of the award, and the rate approved.

Ex.#	Attorney	Award	Years	Rate
------	----------	-------	-------	------

18	2	Peter Schey	2017	44	\$875
19	2	Carlos Holguin	2017	38	\$750
20	2	Alice Bussiere	2017	27	\$800
21	3	Cindy Pánuco	2017	8	\$500
22	3	Annie Lai	2017	8	\$565
23	3	Caitlin McLoon	2017	5	\$425
24	4	James Preis	2015	37	\$875
25	4	Judy Rabinovitz	2015	30	\$825
26	4	Matt Adams	2015	17	\$710
27	4	Ahilan Arulanantham	2015	16	\$690
28	4	Victoria Lopez	2015	14	\$640
	4	James Lyall	2015	8	\$535

1	4	Sarah Mehta	2015	6	\$490
2	4	Esha Bhandari	2015	5	\$475
3	4	Stephen Kang	2015	4	\$450
4	4	Sofia Corona	2015	1	\$340
5	6	Barrett S. Litt	2017	48	\$1150
6	6	Paul Estuar	2017	24	\$765
7	6	Patrick Dunlevy	2017	25	\$750
8	6	Stacy Brown	2017	11	\$600
9	8	Victor Viramontes	2014	15	\$625
10	8	Bernard Alexander	2014	27	\$750
11	8	Matthew Barragan	2014	4	\$340
12	8	Tracy Fehr	2014	11	\$475
13	8	Ariana Garcia	2014	law grad	\$250
14	8	Gustav Ham	2014	paralegal	\$175

42. Based on the foregoing and the attached exhibits, it is my opinion
 14 that the rates sought by this motion are reasonable rates of compensation.
 15

I declare that the foregoing is true and correct. Executed this 13th day of
 16 July, 2018, at Los Angeles, California.
 17

18
 19 
 20 CAROL A. SOBEL
 21
 22
 23
 24
 25
 26
 27
 28